

From: [Nancy Fitz](#)
To: [Joanne Durand](#)
Subject: RE: more questions
Date: 08/10/2011 12:24 PM

I hope you are feeling okay after surgery and are getting better every day!

I can make this point tomorrow as an aside based on the "new" slide that I added to the presentation at the last minute last week.

Talk with you tomorrow!

Nancy

▼ "Joanne Durand" ---08/10/2011 11:52:26 AM---Good Morning Nancy, I've been out off and on since Friday (I had surgery) so no worries about not ge

From: "Joanne Durand" <joanne@aginfoldata.com>
To: Nancy Fitz/DC/USEPA/US@EPA
Date: 08/10/2011 11:52 AM
Subject: RE: more questions

Good Morning Nancy,
I've been out off and on since Friday (I had surgery) so no worries about not getting to my e-mail/questions yet. I'll touch base with the gentleman from TopAg and let him know what you said and see if we can further help him. IF it's possible, I think we should add this (either as an aside or a new slide, whichever is easiest) for Thursday...as I'm sure he's not the only one thinking the UN code means no pressure test label.

Thank you as always!

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-----Original Message-----

From: Fitz.Nancy@epamail.epa.gov
[<mailto:Fitz.Nancy@epamail.epa.gov>]
Sent: Tuesday, August 09, 2011 4:17 PM
To: Joanne Durand
Subject: Re: more questions

Hi Joanne,

I am trying to catch up with the emails that have piled up over the last week - I'll keep working through them and will get to all of yours before too long, I hope!

I don't think that the statement in your email is correct. In fact, I think it is opposite. My understanding is that if a container has a UN mark, then it needs to be leakproofness tested. For example, here is the language from the DOT requirement for continued qualification of intermediate bulk

containers (IBCs), which are greater than 119 gallons:

§ 180.352 Requirements for retest and inspection of IBCs.

(a) General. Each IBC constructed in accordance with a UN standard for which a test or inspection specified in paragraphs (b)(1), (b)(2) and (b)(3) of this section is required may not be filled and offered for transportation or transported until the test or inspection has been successfully completed. This paragraph does not apply to any IBC filled prior to the test or inspection due date. The requirements in this section do not apply to DOT 56 and 57 portable tanks.

(b) Test and inspections for metal, rigid plastic, and composite IBCs.

Each IBC is subject to the following test and inspections:

(1) Each IBC intended to contain solids that are loaded or discharged under pressure or intended to contain liquids must be tested in accordance with the leakproofness test prescribed in §178.813 of this subchapter prior to its first use in transportation and every 2.5 years thereafter, starting from the date of manufacture or the date of a repair conforming to paragraph (d)(1) of this section. For this test, the IBC is not required to have its closures fitted.

I am pretty sure that I have sent you this document, but just in case - here is a document that includes the relevant language from the DOT regulations for leakproofness testing an intermediate bulk container.

(See attached file: Retest and Inspection Requirements for IBCs 03 02

11.docx)

Nancy Fitz

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Pesticide container & containment web site:

<http://www.epa.gov/pesticides/regulating/containers.htm>

From: "Joanne Durand" <joanne@aginfoldata.com>

To: Nancy Fitz/DC/USEPA/US@EPA

Date: 08/03/2011 01:41 PM

Subject: more questions

Speaking to a man from TopAg in Illinois and he believes if you have a UN Code then you don't have to have a Pressure Test Label; I would like to know the answer myself of course but I think this would be an important one for tomorrow. Thoughts?

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